# A HERMENEUTIC READING OF QUR'ANIC EXEGESIS: A Comparison of Amina Wadud's and Mohammed Talbi's Interpretations of Q.4: 34

Pembacaan Hermeneutis atas Tafsir Al-Qur'an: Perbandingan Penafsiran Amina Wadud dan Mohammed Talbi terhadap Q. 4:34

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### Abstract

Most traditional Muslim exegetes interpret Q. 4:34 as a justification of the superiority of men over women, while some progressive Muslim scholars insist on a contextual approach to the verse in order to criticize gender inequality. This article comparatively examines the interpretations of Amina Wadud and Mohammed Talbi of Q. 4:34. Although both propose a contextual reading of the verse, they have different intellectual backgrounds, approaches and methods in interpreting the Qur'an. To what extent are Wadud's and Talbi's interpretation of Q. 4:34 similar and different, and how far do their interpretations reflect their respective intentions and perspectives? Applying Gadamer's hermeneutical approach, the article concludes that [1] both Wadud and Talbi argue that the verse does not establish the superiority of men over women, but acknowledges the division of duties between a married couple; [2] they differ on the status of the husband and wife in the marriage; [3] Wadud's and Talbi's differeing interpretations reflect their respective hermeneutical approaches. The different ways in which they define ontologically the nature of interpretation and Qur'anic hermeneutics affects their interpretations of the verse.

### Keywords

Amina Wadud, Mohammed Talbi, Q. 4:34, Gadamer's hermeneutics.

#### Abstrak

Mayoritas mufasir tradisional menafsirkan Surah an-Nisā'/4: 34 untuk menjustifikasi superioritas laki-laki terhadap perempuan. Beberapa sarjana Muslim progresif kemudian menekankan perlunya pendekatan kontekstual dalam menafsirkan ayat tersebut, untuk mengkritisi ketidaksetaraan gender. Artikel ini menguji secara komparatif penafsiran Amina Wadud dan Mohammed Talbi terhadap ayat ini. Meskipun keduanya menawarkan pembacaan kontekstual terhadap ayat tersebut, keduanya memiliki perbedaan latar belakang intelektual, metode, dan pendekatan dalam menafsirkan Al-Qur'an. Sejauh mana persamaan dan perbedaan penafsiran keduanya, dan sejauh mana penafsiran keduanya merefleksikan tujuan dan perspektif masing-masing? Dengan menggunakan pendekatan hermeneutika Gadamer, dapat disimpulkan bahwa (1) baik Wadud maupun Talbi berpendapat bahwa ayat tersebut tidak menjustifikasi superioritas laki-laki terhadap perempuan, tetapi justru menjelaskan pembagian tugas antara pasangan suami-istri; (2) perbedaan penafsiran keduanya adalah seputar status hubungan suami-istri dalam pernikahan; (3) penafsiran Amina Wadud dan Mohammed Talbi terhadap ayat tersebut merepresentasikan perbedaan situasi hermeneutis keduanya. Cara keduanya mendefinisikan secara ontologis hakikat interpretasi dan hermeneutika Al-Qur'an berpengaruh dalam memproduksi makna-makna ayat tersebut.

#### Kata kunci

Amina Wadud, Mohammed Talbi, Q. 4:34, hermeneutika Gadamer.

#### ملخص

فسر جمهور المفسرين التقليديين الآية الرابعة والثلاثين من سورة النساء لتبرير ترفع الرجل على المرأة. وأما بعض المفكرين التقدميين فيؤكدون على ضرورة إجراء المعالجة السياقية على تفسير الآية المذكورة لأجل نقد مبدأ عدم المساواة بين الجنسين. هذا البحث يحاول إعطاء تقييم مقارن بين تفسيري أمينة ودود ومحمد طلبي على الآية الرابعة والثلاثين من سورة النساء. ورغم طرحهما نفس القراءة السياقية إزاء الآية المذكورة، إلا أنهما مختلفان في الخلفية العلمية والمنهج والمعالجة في تفسير القرآن. فإلى أي مدي عكس تفسيرهما غاية ورؤى كل منهما؟ وباستخدام معالجة هرمينيطيقا جادامر، يمكن الاستخلاص بأن (١) كلا من ودود وطلبي لم ير بأن تلك الآية تبرر ترفع الرجل على المرأة، بل على العكس من ذلك تبين تقسيم الوظائف بين الزوج والزوجة؛ وأن (٢) اختلاف تفسيرهما يدور حول علاقة الزوج والزوجة في رباط النكاح؛ وأن (٣) تفسيري أمينة ومحمد طلبي على الآية المذكورة يمثلان اختلاف أحوالهما الهرمينيطقية. ومهما يكن فقد أثرت طريقتاهما في تعريف حقيقة التفسير وهرمينيطيقا القرآن في إنتاج معانى الآية المذكورة.

# كلمات مفتاحية

أمينة ودود، محمد طلبي، سورة ٣: ٣٤ من القرآن الكريم، هرمينيطيقا جادامر.

#### Introduction

Religion might be the cause of gender injustice and discrimination against women. The interpretation of religious texts, which is gendered bias has created social construction upon the society that puts men' superiority over women. Such interpretation, however has made religion, as a means to justify gender injustice, thus, the society will believe that gender difference is a destiny or God's intention that must be accepted.<sup>1</sup>

A prominent Qur'anic verse that discusses gender relationship is an-Nisā': 34:

الرِّجَالُ قَوَّامُوْنَ عَلَى النِّسَآءِ بِمَا فَضَّلَ اللهُ بَعْضَهُمْ عَلَى بَعْضِ وَبِمَا اَنْفَقُوا مِنْ اَمُوَالِهِمُّ فَالصَّلِحْتُ فَنِتْتُ حُفِظْتُ لِلْغَيْبِ بِمَا حَفِظَ اللهُ ۖ وَالْتِيْ تَخَاهُوْنَ نَشُوْرُهُنَّ فَإِنْ اَطَعْنَكُمْ فَلاَ تَبْغُواْ عَلَيْهِنَ فَعِظُوْهُرَّ فَإِنْ اَطَعْنَكُمْ فَلاَ تَبْغُواْ عَلَيْهِنَ سَيِيلًا اللهَ كَانَ اللهَ كَانَ عَلِيًّا كَيْبُونُ فَانَ اللهُ كَانَ عَلِيًّا كَيْبُونُ اللهِ عَالَيْهِنَ اللهُ عَلَيْهِنَ اللهُ عَلَيْهِنَ اللهُ عَالَى اللهُ عَلَيْهِنَ اللهُ عَلَيْهِنَ اللهُ عَلَيْهُ اللهُ عَلَيْهُ اللهُ عَلَيْهُ اللهُ عَلَيْهِ اللهُ اللهُ عَلَيْهُ اللهُ عَلَيْهِنَ اللهُ عَلَيْهُ اللهُ اللهُ عَلَيْهُ اللهُ اللّهُ اللهُ اللهُ اللهُ اللّهُ اللهُ اللّهُ اللهُ اللهُ اللهُ اللّهُ اللهُ اللهُ اللهُ اللّهُ اللّهُ اللهُ اللهُ اللّهُ اللهُ اللهُ اللّهُ اللهُ اللهُ اللّهُ اللّهُ اللّهُ اللهُ اللهُ اللهُ اللّهُ اللّهُ اللّهُ الللّهُ اللّهُ اللّهُ اللهُ اللهُ اللّهُ الللهُ الللهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ اللّهُ الللهُ اللللّهُ اللّهُ اللللّهُ الللّهُ الللهُ اللّهُ اللّهُ اللّهُ الللهُ الللهُ اللّهُ الل

(Husband) are the protectors and maintainers of their (wives), because Allah has given the one more (strength) than the other, and because they support them from their means. Therefore the righteous women are devoutly obedient and guard in (the husband's) absence what Allah would have them guard. As to those women on whose part you fear disloyalty and ill-conduct, admonish them (first), (next), refuse to share their beds, (and last) beat them (lightly); but if they return to obedience, seek not against them means (annoyance): for Allah is Most High, Great (above you Allah).<sup>2</sup>

Most of traditional Muslim exegetes interpret the verse in terms of justifying the superiority of men over women. For example, az-Zamakhsyari argues that men are leader of women. Like a king's order upon his society, they can command and prohibit women, because Allah has given preferences to men over women. Prophets and scholars also are men. The husbands are also obligated to pay marital cost as either paying dowry (*mahar*) or financing the wives.<sup>3</sup>

Such traditional interpretation becomes a great challenge for Islamic feminists.<sup>4</sup> They question whether Islam justifies gender inequality and

¹ Inayah Rohmaniyah, "Gender dan Konstruksi Perempuan dalam Agama", *Studi Ilmu al-Qur'an dan Hadis Journal*, 10 (1), 2009, p. 217.

<sup>&</sup>lt;sup>2</sup> This translation is taken form 'Abdullāh Yūsuf 'Ali, *The Meaning of the Holy Qur'an,* (Bandung: Mizan, 2007), p. 60.

 $<sup>^3</sup>$  Mahmūd bin 'Umar az-Zamakhsyari, <br/>  $al\mbox{-}Kasysy\bar{a}f,$  (Riyadh: Maktabah al-'Abīkan, 1998), p. 67.

<sup>&</sup>lt;sup>4</sup> Margot Badran defines the term Islamic feminism as a discourse of women and equality in which its paradigm and understanding are derived from the Qur'anic interpretation. Margot Badran, "Islamic Feminism Revisited", *al-Ahram Weekly Online*, 9-15 June, 2006,

discrimination against women or it contradicts with the principle of equality and justice explained in the Qur'an. They deconstruct such traditional Qur'anic interpretation, by reinterpreting Qur'anic verses regarding women in the light of gender equality. Nasr Hamid Abu Zayd, Amina Wadud, Mohammed Talbi, Ashgar Ali Engineer, Riffat Hasan and Asma Barlas are among them, to mention some.

Among those scholars, this research will comparatively examine the interpretation of Amina Wadud and Mohammed Talbi of Q. 4:34. There are several reasons why their interpretation is important to be compared. First, both Wadud and Talbi based on gender equality principles. However, they have different socio-intellectual background. In addition, they have different approach and method in interpreting the Qur'an. Wadud establishes "a female inclusive reading" on the Qur'an which includes women's experience and perspective. She also establishes "hermeneutic of  $tauh\bar{u}d$ " which means a holistic method. Meanwhile, Talbi acknowledges a historical reading on the Qur'an ( $qir\bar{a}'ah$   $t\bar{a}r\bar{a}'hiyyah$ ) by which one must examine the socio-historical and anthropological context of particular verse, in order to derive its  $maq\bar{a}sid$  asy- $syar\bar{a}h$  (the substantive values/objectives behind a verse).

Second, arguably, their respective approaches and methods in interpreting the Qur'an also imply on their interpretation of Q. 4:34. For instance, Wadud is quite detail to examine the syntactical structure of the verse and thematically link it to the other verses. According to Wadud, such analysis is significant to derive the Qur'anic weltanschauung. She actually also takes the socio-historical context of the verse in to account, but she does not provide a detailed explanation. On the contrary, Talbi reluctantly examines the linguistic dimensions of the verse. For him, such analysis seemingly does not provide meaningful understanding of the verse. Therefore, he provides more and detailed analysis on the socio-historical context in which the verse was revealed to derive the *maqāṣid asy-syarīah*.

The questions are to what extent the similarities and differences of both Wadud's and Talbi's interpretation of Q. 4:34 and how far their interpretations reflect their respective objectives, perspective and intention? The objectives of this article is to explain that in the process of interpreta-

http://weekly.ahram.org.eg/Archieve/2006/781/cu4.htm.

<sup>&</sup>lt;sup>5</sup> Amina Wadud, *Qur'an and Woman: Rereading the Sacred Text from a Woman's Perspective*, New York: Oxford University Press, 1999, p. xii-xiii. See also: Mohammed Talbi, *Ummat al-Wasat*, (Tunis: Sarar li an-Nasyr, 1996), p. 115-117.

<sup>&</sup>lt;sup>6</sup> Amina Wadud, *Qur'an and Woman*, p. 5.

<sup>&</sup>lt;sup>7</sup> Mohammed Talbi, *Ummat al-Wasaţ*, p. 118-119.

<sup>&</sup>lt;sup>8</sup> Amina Wadud, *Qur'an and Woman*, p. 69-70.

<sup>9</sup> Mohammed Talbi, Ummat al-Wasaṭ, p. 120-125.

tion, the socio-intellectual background of each exegete, their ontological view on nature of interpretation, Qur'anic hermeneutics used in the process of interpretation will influence in determining the meanings.

This article employs Gadamer's hermeneutics to comparatively understand the context of Wadud and Talbi in their respective interpretations. Gadamer's hermeneutics would be applied to understand the plurality of interpretation of a text. In terms of Gadamer's hermeneutics, it is impossible to derive the objectivity of interpretation because every reader is situated within their own history. No reader can dissociate himself/herself from historically effected consciousness (*wirkungsgeschichte*) which always plays a role in the process of interpretation. Every reader consciously or not is constructed by their own hermeneutical situation. Thus, a reader's interpretations of a text do not fully represent the intention of the author, but it also reflects reader's certain interests.<sup>10</sup>

# The Nature of Qur'anic Interpretation and Qur'anic Hermeneutics

### Amina Wadud's Thought

Amina Wadud was born in September 25<sup>th</sup> 1954 as Mary Teasley, in Bethesda, Maryland, U.S. She converted to Islam in 1972.<sup>11</sup> She obtained her Bachelor from Pennsylvania University in 1975. Her M.A. was obtained from Michigan University in 1982. At this University, Wadud also took her Ph. D. in Arabic and Islamic studies and graduated in 1988.<sup>12</sup> Wadud has taught at several Universities both in U.SA and aboard. She was firstly employed at the International Islamic University of Malaysia.<sup>13</sup>

Wadud argues that the Qur'an establishes universal principles or values: justice, human dignity and egalitarianism. These principles are unchangeable and universal for all human beings over history. While maintaining universal values, Wadud asserts that some Qur'anic verses reflect particular circumstance of seventh-century Arabia in which it was revealed. Therefore, she insists a contextual approach in interpreting the Qur'an. <sup>14</sup> She argues that one should take the socio-historical context of Qur'anic revelation into account, so that the relationship between the universal and particular of Qur'anic verses could be understood. <sup>15</sup>

<sup>&</sup>lt;sup>10</sup> F. Budi Hardiman, *Seni Memahami Hermeneutik dari Schleirmacher sampai Derrida*, (Yogyakarta: Kanisius, 2015), p. 168-169.

<sup>&</sup>lt;sup>11</sup> Amina Wadud, *Inside the Gender Jihad*, (Oxford: One World, 2008), p. 58.

<sup>12</sup> Irsyadunnas, Hermeneutika Feminisme, (Yogyakarta: Kaukaba, 2014), p. 71.

<sup>&</sup>lt;sup>13</sup> Amina Wadud, *Inside the Gender Jihad*, p. 57.

<sup>14</sup> Amina Wadud, Qur'an and Woman, p. 4.

<sup>15</sup> Amina Wadud, Qur'an and Woman, p. xii-xiii.

Wadud argues that no method of Qur'anic interpretation is fully objective, for each exegete has what she calls as "prior text" which means prejudices in interpreting the Qur'an. Therefore, the results of Qur'anic exegesis do not fully reflect the intention of the text rather they also reflect each exegete's intention and interest. <sup>16</sup> One of prior text examples is that the traditional exegesis was exclusively undertaken by men. It means that men's perspective and experience affect on their interpretations while that of women were neglected. <sup>17</sup> Therefore, Wadud proposes what she calls as "female inclusive reading" on the Qur'an. It is her ultimate objective of Qur'anic interpretation which involves women's perspective and experience towards gender justice. <sup>18</sup>

The keyword of Wadud's Qur'anic hermeneutics is hermeneutics of *tauḥīd*. It aims to emphasize how "the unity of Qur'an permeates all its part". Hence, the coherence among Qur'anic verses should be taken into account. <sup>19</sup> Wadud explains her framework of Qur'anic hermeneutics systematically: "in the context of Qur'anic revelation; in the context of discussion on similar topics in the Qur'an; in the light of similar language and syntactical structures used elsewhere in the Qur'an; in the light of overriding Qur'anic principle; within the context of Qur'anic world view". <sup>20</sup>

# Mohammed Talbi's Thought

Mohammed Talbi was born in September 16<sup>th</sup>, 1921 in Tunisia. He was raised in a traditional, religious and learned Muslim family.<sup>21</sup> His M.A and Ph. D were obtained from Sorbonne University.<sup>22</sup> His doctoral thesis entitled *The Aghlabid Emirate, a Political History,* discusses Tunisian's first Muslim dynasty.<sup>23</sup> He is now considered as one of Muslim scholars who advocate voice of Islamic reform. Talbi writes numerous books and articles, not only on the issue of History, but also modern-contemporary issues, such as democracy, freedom, tolerance, pluralism, interfaith dialogue, women in Islam, *ijtihād* and modernity.<sup>24</sup>

<sup>16</sup> Amina Wadud, Qur'an and Woman, p. 1.

<sup>&</sup>lt;sup>17</sup> Amina Wadud, *Qur'an and Woman*, p. 2.

<sup>&</sup>lt;sup>18</sup> Amina Wadud, *Qur'an and Woman*, p. xii.

<sup>&</sup>lt;sup>19</sup> Amina Wadud, *Qur'an and Woman*, p. xii.

<sup>&</sup>lt;sup>20</sup> Amina Wadud, *Qur'an and Woman*, p. 3.

<sup>&</sup>lt;sup>21</sup> Mohammed Talbi, *Iyalullāh: Afkār Jadīdah fi 'Alaqat al-Muslim binafsihi wa bi al-Akharīn*, (Tunisia: Dar Sarās li an-Nasyr, t.th.), p. 31.

<sup>&</sup>lt;sup>22</sup> Mohammed Talbi. *Iyalullāh*, p. 21-25

<sup>&</sup>lt;sup>23</sup> Nicola Missaglia. "A Religion of Dialogue: Mohammed Talbi", *Reset Dialogue on Civilizations*, June 13, 2011, retrieved from http://www.resetdoc.org/story/00000021631.

<sup>&</sup>lt;sup>24</sup> Ronald L. Nettler, "Islam, Politics, and Democracy: Mohammed Talbi and Islamic Modernism", *The Political Quarterly*, 71, 2000, p. 51.

Talbi acknowledges that the Qur'an is a divine text which is universal for all humankind and relevant to any time and circumstance. He argues that God speaks with human beings in terms of all circumstances and times within a living dialogue which is constantly alive and new. Although God's speech was revealed in particular context: seventh-century Arabia, it was not restricted to that time. According to Talbi, since the history is a smooth movement that continuously runs forward, God's speech is always present over the history.<sup>25</sup>

According to Talbi, it implies that we do not assume that the Qur'an which was revealed in particular circumstance and understood by its first audience would be always relevant to our present era, and likewise, we do not read and understand it for our present era in the light of our future.  $^{26}$  The proper way in reading the Qur'an is interpreting it in the light of present situation as if it was revealed upon us.  $^{27}$ 

The basic concept of Talbi's Qur'anic hermeneutic is historical reading (al- $qir\bar{a}$ 'ah at- $t\bar{a}r\bar{\iota}khiyyah$ ) on the Qur'an. It implies that one should analyze the historical, sociological and anthropological dimension of Qur'an in which it was revealed, in order to derive the objective of Shari'a ( $maq\bar{a}sid$  asy- $syar\bar{\iota}$ 'ah). Talbi argues that understanding the Qur'an in its context of revelation (fi  $zur\bar{\iota}fi$   $nuz\bar{\iota}lihi$ ) is a starting point in interpreting it in terms of all places and times.

# Amina Wadud's Interpetations of Q. 4:34

Wadud begins her interpretation by examining the word faddala in the light of the same word used elsewhere in the Qur'an: Q. 17:70, 2: 253, 6: 86, 17: 55. Based on her examination, she concludes that the Qur'an uses faddala in a relative sense. According to Wadud, unlike darajah, faddala cannot be obtained by human's effort rather it is given by God. <sup>29</sup> To understand the proper meaning of fadl, Wadud then analyzes the usage of bi within the verse. She asserts that the sentence before bi is determined by that of after bi. The rationale is that men are  $qaww\bar{a}mun$  over women if the two following requirements existed: "what Allah has preferred for men and what they spend of their property". Thus, Wadud insists that if those requirements are not fulfilled, men are not  $qaww\bar{a}mun$  over women.<sup>30</sup>

<sup>&</sup>lt;sup>25</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 118.

<sup>&</sup>lt;sup>26</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 118.

<sup>&</sup>lt;sup>27</sup> Lina Lazzar, "Interview with Mohammed Talbi", June, 1<sup>th,</sup> 2011, <a href="http://www.ibraaz.org/interviews">http://www.ibraaz.org/interviews</a>.

<sup>&</sup>lt;sup>28</sup> Mohammed Talbi, *Tyalullāh*, p. 143.

<sup>&</sup>lt;sup>29</sup> Amina Wadud, Qur'an and Woman, p. 69

<sup>&</sup>lt;sup>30</sup> Amina Wadud, Qur'an and Woman, p. 70.

According to Wadud, if we refer to another verse, there is only one indication that explains men's preference over women, namely inheritance (Q. 4:7). If men's preference given by Allah is inheritance, then it is connected with the second condition of *qiwāmah* (they spend of their property). Thus, men have to share their inheritance and spend their property to support women.<sup>31</sup>

By analyzing syntactical structure of the verse, Wadud states that Q. 4:34 does not acknowledge the superiority of men over women, because it uses the word baid (some) of them over baid (others). It means that all men do not excel over all women, but only some men excel over some women. It is also possible if some women excel over some men. Therefore, Wadud argues that although the preference is more than inheritance, the verse does not acknowledge the superiority of men over the women, because it restricts the preference to some of them over some others.<sup>32</sup>

Regarding the word qawwām, Wadud argues that it is not restricted to merely the relationship between husband and wife in a family, rather it largely describes the relationship of both within the society. By relying on Sayyid Qutb's interpretation, Wadud proposes a new concept in understanding the verse which she called as "functional relationship". This concept aims to explain the mutual and functional relationship between men and women in the social context.<sup>33</sup>

According to Wadud, the functional relationship between men and women can be observed through their respective responsibility within the society. In maintaining good society, women are responsible to bear children. Wadud states that this responsibility is hard, because the continuity of human's existence depends on it. Therefore, in preserving the balance and justice within the society, Wadud argues that men must have equal responsibility. The Qur'an explains this responsibility as  $qaww\bar{a}m$ . In such understanding, Wadud interprets  $qaww\bar{a}m$  as the responsibility of men in sustaining and providing physical protection and material sustenance for women.<sup>34</sup>

Regarding the phrase explaining pious women, Wadud examines the word  $q\bar{a}nit\bar{a}t$  in the light of other verses using such word in the Qur'an. She argues that it does mean "obedient to husband". The Qur'an, according to Wadud, uses this word with regard to both men and women. <sup>35</sup> She then concludes that  $q\bar{a}nit\bar{a}t$  describes "a characteristic or personality trait of be-

<sup>&</sup>lt;sup>31</sup> Amina Wadud, *Qur'an and Woman*, p. 70.

<sup>&</sup>lt;sup>32</sup> Amina Wadud, Qur'an and Woman, p. 71.

<sup>&</sup>lt;sup>33</sup> Amina Wadud, *Qur'an and Woman*, p. 72.

<sup>34</sup> Amina Wadud, Qur'an and Woman, p. 73.

 $<sup>^{35}</sup>$  The Qur'anic reverence of  $q\bar{a}nit\bar{a}t$  designates that it is used with regard to both men (Q. 2:238, 3:17, 33:35) and women (Q. 4:34, 33:34, 66:5, 66:12).

lievers towards Allah". They tend towards "being co-operative one another and subservient before Allah". Therefore, according to Wadud,  $q\bar{a}nit\bar{a}t$  is different from the word ta'ah which means "obedience among created beings".<sup>36</sup>

Regarding the word *nusyūz*, according to Wadud, since the Qur'an uses this word with regard to both men (Q. 4:128) and women (Q. 4:34), it does not mean "disobedience to the husband". By referring to Sayyid Qutb's interpretation, Wadud argues that this word means "a state of disorder between the married couple". Wadud insists that Qur'anic *weltanschauung* intends resolving problems and returning to peace and harmony among married couple, as indicated in Q. 4:128. Accordingly, the Qur'an proposes three manners in regaining the marital harmony: 1. Verbal solution. 2. Bed separation; 3. Beating is permitted.<sup>37</sup>

According to Wadud, the manners proposed by the Qur'an must be considered as hierarchical manners. Therefore, one must apply the first manner before applying the next manners. Wadud argues that it is possible to regain marital harmony before applying the second and third manners. She argues that the first manner is the best solution, because it is in accordance with Qur'anic principle of mutual consultation:  $sy\bar{u}r\bar{a}$ .

Besides, according to Wadud, the second manner proposed by the Qur'an is only possible if the married couple continually share a bed. Although this step is a moment for them to evaluate their problem, this separation can lead to many separations before any resolution is made. Meanwhile, the third solution does not mean violence against the wife, because "it is un-Islamic".<sup>38</sup>

According to Wadud, the word <code>daraba</code> does not always mean 'to strike', or indicates 'violence'. This word, however, has various meanings. It also means "to exemplify" and "when someone leaves or strikes out on a journey". This word is different from its second form: <code>darraba</code>, which means "to strike repeatedly or intensely".<sup>39</sup>

Wadud argues that the phrase on <code>daraba</code> must be understood in the light of particular circumstance in which the Qur'an was revealed. The verse, according to Wadud, was revealed within the existence of extensive violence against women and cruel practices which is condemned by the Qur'an at the time of revelation, such as female infanticide. Therefore, according to Wadud, this verse must be considered as a prohibition of violence against women and "a severe restriction of existing practice".<sup>40</sup>

<sup>&</sup>lt;sup>36</sup> Amina Wadud, *Qur'an and Woman*, p. 74.

<sup>&</sup>lt;sup>37</sup> Amina Wadud, *Qur'an and Woman*, p. 75.

<sup>&</sup>lt;sup>38</sup> Amina Wadud, *Qur'an and Woman*, p.75-76.

<sup>39</sup> Amina Wadud, Qur'an and Woman, p. 76.

<sup>&</sup>lt;sup>40</sup> Amina Wadud, Qur'an and Woman, p. 76.

Regarding the word *ṭa'a*, Wadud argues that contextual consideration should be taken into account in understanding this word. The verse, according to Wadud, does not use imperative form (*'amr*), but a conditional sentence. Besides, the verse reflects the cultural norm of Qur'anic revelation in which a wife obeyed his husband, usually because he materially maintained his family.

Wadud concludes that the Qur'an never demands a wife to obey her husband. "It never states that obedience to their husband is a characteristic of the better women, nor is it a prerequisite for women to enter the community of Islam". Therefore, according to Wadud, the sentence "if they return to obedience, seek not against them" substantively emphasizes on men's treatment upon the women, not women's obedience. <sup>41</sup> According to Wadud, there is no correlation between beating the women and obedience. Beating women, however, contradicts the universal of Qur'anic values and the practices of the Prophet.<sup>42</sup>

Wadud then contextualizes the verse by explaining the changing situation of contemporary era. According to Wadud, it could not be denied that in modern era "couples seek partners for mutual emotional, intellectual, economic and spiritual enhancement". "Their compatibility is based on mutual respect and honor, not on the subservience of the men to the women". Therefore, according to Wadud, the Qur'an must be able to accommodate this changing situation. If it is only relevant to the particular situation of the time of revelation, it will not be able to response the changing needs of Muslims.<sup>43</sup>

# Mohammed Talbi's Interpretation of Q. 4:34

Talbi argues that the phrase *ar-rijālu qawwāmūn 'ala an-nisā'* acknowledges that Allah obligates the existence of a leader within family, and that is men. This obligation, according to Talbi, is *sunnatullāh* due to the fact that men have been the leader within variety of civilizations throughout human's history, except in several ancient societies. He even argues that such phenomenon also could be found in animal life. Hence, he insists that such empirical fact is not accidental phenomenon.<sup>44</sup>

However, according to Talbi, this verse certainly does not mean justifying the superiority of men over women. Rather, it means duties division among the married couple. Talbi argues that the phrase acknowledges the

<sup>&</sup>lt;sup>41</sup> Amina Wadud, *Qur'an and Woman*, p. 77.

<sup>42</sup> Amina Wadud, Qur'an and Woman, p. 77.

<sup>&</sup>lt;sup>43</sup> Amina Wadud, *Qur'an and Woman*, p. 77-78.

<sup>44</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 134.

obligation of men to sustain the necessity of family. It also does not mean that Allah obligates women to do merely the housework, and likewise prohibits them to work in the same manner as men. On the contrary, working for sustaining the necessity of family is not obligated for women comparing to the men. $^{45}$ 

Regarding the phrase explaining the preference (faḍḍala), Talbi argues that the phrase also does not acknowledge the superiority of men over women, because all human being are equal before Allah as emphasized on the last phrase of the verse: "Allah is most High, Great (above you Allah)". Allah has created for both men and women their respective preference, so that they have to establish mutual cooperation in doing their duties. 46

Talbi argues that the preference does not mean the superiority over the inferiority, but complementary. The preference of men, according to Talbi, is that they are more capable than women, so that they could fulfill their obligation: sustaining the necessity of family.<sup>47</sup> The phrase wa bimā anfaqū min amwālihim, according to Talbi, also does not imply the superiority of men over women. Rather, it emphasizes the obligation of men to spend their property for women. Therefore, Talbi argues that a wife is permitted to demand her right to her husband in order to preserve her prosperity and her children.<sup>48</sup>

Talbi examines the word  $q\bar{a}nit\bar{a}t$  in the light of its textual meaning, which means "always remembering Allah". He argues that the sentence fa as  $s\bar{a}lih\bar{a}t$   $q\bar{a}nit\bar{a}t$   $h\bar{a}fiz\bar{a}t$  li al- $ga\bar{i}b$   $bim\bar{a}$  hafiz al-gallah is a statement that describes the married couple implementing their duties in the light of spirituality towards Allah. In other words, it expresses a spiritual condition in which they always remember Allah, so that they are not inclined to follow their desire.

In such condition, they also keep their secret by not spreading it to the others. Talbi argues that because Allah has given particular preference for the women, they will gain prosperity by keeping such condition, and hence, Allah mentions them. Nevertheless, Talbi does not explain explicitly the women's prosperity. However, Talbi acknowledges that axiomatically the word  $qun\bar{u}t$  and keeping secret do not restrict only for women, but also for men.  $^{5\circ}$ 

In interpreting the last part of the verse, Talbi provides more analysis on particular context of the verse. Talbi asserts that the verse was revealed in particular context of late third year and early fifth year of Hijrah

<sup>45</sup> Mohammed Talbi, Ummat al-Wasaţ, p. 134.

<sup>46</sup> Mohammed Talbi, Ummat al-Wasat, p. 134..

<sup>&</sup>lt;sup>47</sup> Mohammed Talbi, *Ummat al-Wasaṭ*, p. 135.

<sup>&</sup>lt;sup>48</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 135-136.

<sup>&</sup>lt;sup>49</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 136.

<sup>&</sup>lt;sup>50</sup> Mohammed Talbi, *Ummat al-Wasat*, p. 136.

in which the clash of cultures and disputes occurred between feminist and anti-feminist in Medina. The feminist groups were represented by the Anṣār community in which one of the prominent figures of this group was Ummu Salamah. Meanwhile, the anti-feminist group was represented by the Muhājirīn community in which 'Umar Ibn Khaṭṭāb was one of its prominent figures.<sup>51</sup> According to Talbi, the women in Medina were much appreciated and free, rather than in Mecca. Hence, when the Muhājirīn came to Medina, a tension occurred between them and the Anṣār community with regard to the relation between men and women. Talbi states that there are many historical data recording this tension.<sup>52</sup>

Talbi argues that it is must be noticed that the Prophet had prohibited the husbands to beat their wives since early first year of Hijrah, before the revelation of the verse. He even had sued a husband who beat his wife by doing  $qis\bar{q}s$ , for the sake of maintaining the equality among them. However, the tension between the feminist and anti-feminist group could not be neglected. The Anṣār was even influenced by the Muhājirīn's culture in upstaging the women. In such situation, the verse was revealed in order to respond this tension.  $^{53}$ 

After the revelation of the verse, the Prophet permitted the husbands to beat their wives and  $qis\bar{a}s$  was abrogated as well. The question is whether the will of Prophet contradicted the will of God or not. Answering this question, Talbi states that the will of God and his Prophet was unified. However, He argues that God revealed the verse to strengthen and unify the ummah. He intended to clarify the social disorder and saved them from critical period at the time. The period of the verse's revelation was critical period for the young ummah. It was surrounded by the enemies both internally and externally. Meanwhile, as discussed above, the tension between feminist and anti-feminist group occurred within the internal ummah. If they were in disunity, they would not be united in facing their enemies.  $^{55}$ 

Although, God finally permitted the husband to beat her wife, Talbi argues that this was not His intention. Rather, He prioritized "the most important over the important": unifying the *ummah*. Talbi states that beating the wife was not suggested although it was permitted. This was also strengthened by a Hadith by which "the Prophet suggested to not beat the wife, although this was permitted".<sup>56</sup>

<sup>&</sup>lt;sup>51</sup> Mohammed Talbi, *Ummat al-Wasaţ*, p. 120-122.

<sup>52</sup> Mohammed Talbi, *Ummat al-Wasaţ*, p. 121-122.

<sup>53</sup> Mohammed Talbi, Ummat al-Wasat, p. 121-122.

<sup>54</sup> Mohammed Talbi, Ummat al-Wasaţ, p.124.

<sup>55</sup> Mohammed Talbi, Ummat al-Wasat, p. 125.

<sup>&</sup>lt;sup>56</sup> Mohammed Talbi, *Ummat al-Wasaṭ*, p.125.

Therefore, according to Talbi, by taking the verse' socio-historical and political context into account, we can understand that  $nusy\bar{u}z$  describes a state of marital disorder. It particularly relates with gender relationship. Hence, Allah proposes several solutions that aim to regain marital harmony. According to Talbi, the first solution, good verbal advice, should be firstly implemented, because it is compatible with humanity principles.<sup>57</sup>

Talbi calls for contextualization in understanding the third solution: beating. By understanding the socio-historical and political context of the verse, Talbi claims that God does not intend beating women. He states that the  $maq\bar{a}sid$  of the verse is "to elude marital disorder among the married couple". Talbi argues that the permission of beating women can be implemented only in the time of its particular socio-historical circumstance.<sup>58</sup>

### A Comparative Analysis on *Qiwāmah* and Preference (Fadl)

From the preceding discussion, it can be concluded that with regard to <code>qiwāmah</code>, both Wadud and Talbi are in line that Q. 4:34 does not acknowledge the superiority of men over women. They argue that the verse establishes duties division among married couple, so that they enable to work together in maintaining good family. However, there are some differences among their interpretations, particularly when they respectively interpret the phrase <code>ar-rijālu qawwāmūn 'ala an-nisā'</code>. While Wadud interprets <code>qawwām</code> as men's responsibility to support women, Talbi interprets it as the leadership of men over women in the family.

How we understand such different interpretation? In terms of Gadamer's hermeneutics, in order to understand the tendency of Wadud and Talbi in their respective interpretations, we have to take their respective hermeneutical situations<sup>59</sup> and pre-understanding<sup>60</sup> to the Qur'an into consider-

<sup>&</sup>lt;sup>57</sup> Mohammed Talbi, *Ummat al-Wasat*, p.136.

<sup>&</sup>lt;sup>58</sup> Mohammed Talbi, *Ummat al-Wasat*, p.136.

<sup>&</sup>lt;sup>59</sup> Every reader is influenced by particular hermeneutical situation surrounding them: tradition, culture, education and experience of life. Therefore, an exegete must realize that in doing an interpretation, his/her socio-historical-intellectual background, tradition, culture and experience of life surrounding him/her consciously or not, also play a role in the process of interpretation. See: Sahiron Syamsuddin, "Hermeneutika Hans Georg Gadamer dan Pengembangan Ulumul Qur'an dan Pembacaan al-Qur'an pada Masa Kontemporer", *Upaya Integrasi Hermeneutika dalam kajian Qur'an dan Hadis*, Sahiron Syamsuddin and Syafa'atun Almirzanah (ed.), (Yogyakarta: Lembaga Penelitian UIN Sunan Kalijaga, 2011), p. 36-37.

<sup>&</sup>lt;sup>60</sup> The situated reader within his/her hermeneutical situation creates prejudices or preunderstandings which is always determining factor in producing meanings in the process of interpretation. Without these, a reader would be difficult to interpret a text. See: Sahiron Syamsuddin, "Hermeneutika Hans Georg Gadamer..." p. 37-38.

ation. In this regard, we have to refer to their respective socio-intellectual background to understand their respective hermeneutical situation and as well as their respective thoughts on the nature of Qur'anic interpretation and Qur'anic hermeneutics to understand their respective pre-understanding to the Qur'an.

Wadud's interpretation of  $qaww\bar{a}m$  is inseparable from her hermeneutical situation. She personally involves in some organizations advocating gender equality. She also academically devotes her life to advocate gender equality in Islam. It also enables that she was influenced by secular feminist thoughts. Wadud's socio-intellectual background explains how Wadud is situated within her hermeneutical situation in interpreting the verse. Her hermeneutical situation then influences Wadud to propose female inclusive reading which takes women's experience and perspective into account in interpreting the Qur'an. She claims that such reading is imperative towards gender equality. Therefore, by understanding Wadud's hermeneutical situation and Qur'anic hermeneutics, we can understand why she understands  $qaww\bar{a}m$  in the context of society at large. She brings her perspective as a woman to propose the significant role and responsibility of women in the society, namely child bearing in which the existence of human being depends on it.

Similar to Wadud, Talbi's interpretation of  $qaww\bar{a}m$  is inseparable from his hermeneutical situation. He explicitly affirms that he was influenced by French thoughts and scholars when he studied at Sorbonne University. He has devoted his intellectual interest in the science of history. He states that he was largely influenced by some French scholars on this subject, particularly Levi Provencal who much wrote the history of human and Islamic civilization. His intellectual background explains how Talbi is influenced by his hermeneutical situation in interpreting the verse. Therefore, we can understand why Talbi tends to use historical-empirical analysis in interpreting  $qaww\bar{a}m$  by arguing that men empirically have been proved as the leader of women. His perspective as a historian influences him to interpret  $qaww\bar{a}m$  as the leadership of men over women.

<sup>&</sup>lt;sup>61</sup> Wadud interest in gender and woman studies began when she moved to Libya, less than two years after her conversion to Islam. In Libya, she encountered with a struggle for more gender egalitarian concept with regard to Islamic identity and practice. Furthermore, she has also involved and interlaced with several Muslim women's network and Muslim's organizations. In Malaysia, Wadud began to involve with women's association that well known as *Sister in Islam*. See: Amina Wadud, *Inside the Gender Jihad*, p. 3.

<sup>&</sup>lt;sup>62</sup> Margot Badran concludes that Wadud combines between traditional Islamic methodology and secular discourse of rights and justice in her *Qur'an and Woman*. See: Margot Badran, *Feminism in Islam,* (Oxford: One World, 2009), p. 242.

<sup>63</sup> Mohammed Talbi, *Iyalullāh*, p. 26-33.

The lack of Wadud's and Talbi's interpretations is that they do not examine *qawwām* in the light of its linguistic meaning in which it is imperative as a starting point in interpreting the Qur'an. <sup>64</sup> Al-Qurṭubi, for instance, explains that *qawwām* is an intensive form of *qiyām* which means "conducting something", "having an authority to manage" and "effort to guard". <sup>65</sup> By taking its linguistic meaning into account, it would make both Wadud's and Talbi's interpretation more sophisticated to indentify whether *qawwām* could be interpreted as a responsibility or leadership.

Compared to Wadud, Talbi does not provide detailed evidence to prove his interpretation. In addition, there are several historical evidences explaining women's leadership in the society, such as the history of queen of Sheba (Q. 27: 29-35). His interpretation will also bring to question: does the empirical evidence of men's leadership over history prove that Allah chooses men as the leader of women in the family? For Asma Barlas, Talbi's interpretation is misleading. In commenting the word *qawwām*, Barlas argues that although the Qur'an demands men to be the breadwinner, it does not designate them to be the head of household. Barlas argues that such designation is the result of "traditional patriarchal definitions of the father-as husband and the husband-as-father, to which the Qur'an does not adhere". According to Barlas, "while most Muslims believe that men are the head of their households, the Qur'an itself does not use this concept or term to speak about either husbands or fathers."

Wadud's interpretation on the word faddala is more sophisticated methodologically than that of Talbi. Compared to Wadud, the lack of Talbi's analysis is that he does not examine faddala in the light of other verses in the Qur'an. By linking it to other verses, Wadud's analysis could prove that the usage of faddala is relative in the Qur'an. I argue that the relative usage of faddala is because the Qur'an does not explain explicitly what has been preferred for men and why they are preferred.

Another lack of Talbi's analysis is that he does not examine the verse in the light of its syntactical structure while Wadud carefully analyzes that. She points out the usage of *bi* which she considers it as *ba'* as-sabābiyyah known in Arabic *ba'* for reason or purpose. Therefore, Wadud concludes

<sup>&</sup>lt;sup>64</sup> See: Nasr Hamid Abu Zayd, *Tekstualitas al-Qur'an*, Khoiron Nahdliyyin (tr.), (Yogyakarta: LKiS, 2013), p. 3.

<sup>&</sup>lt;sup>65</sup> In terms of this definition, al-Qurṭubi concludes that men must manage women's affairs, discipline them, guard them in the house and forbid their appearance in the public space. In addition, women must obey their husband and fulfill their demand as long as it is not wrongdoing. See: 'Abdullah Muhammad bin Ahmad Abī Bakr al-Qurṭubi, *al-Jāmi' li al-Ahkām al-Qur'an*, (t.tp.: Muassat ar-Risālah, t.th.), vol. 6, p. 280.

<sup>&</sup>lt;sup>66</sup>Asma Barlas, *Believing Women in Islam: Unreading Patriarchal Interpretations of the Qur'an*, (Texas: University of Texas Press, 2002), pp. 187.

that the  $qaww\bar{a}m$  of men is determined by two conditions come after bi. Besides, Wadud also examines the usage of ba'd in the verse. The word ba'd determines that not all men excel all women. The logical consequence is that some women are certainly possible to excel over some men. The lack of traditional Muslim exegetes is that they does not examine the usage of ba'd in the verse. Therefore, they generalize that all men excel over all women by arguing that men inherently have more preferences (fadl) than women. Such interpretation, indeed, shows patriarchal bias, because as Wadud states, the Qur'an does not acknowledge men's inherent preference.  $^{67}$ 

Compared to Wadud, for Talbi, as a historian, analyzing the verse in the light of its syntactical structure and grammatical composition does not seem significant to provide meaningful understanding of the text. On the contrary, Wadud considers such analysis as significant tools to understand relational meaning of the Qur'an and its *weltanschauung*. Therefore, to realize her objective of female inclusive reading, Wadud establishes hermeneutic of *tauḥūd* by which the coherence among Qur'anic verses should be taken into account in interpreting the Qur'an.

### On Pious Women (*Qānitāt*) and Marital Disharmony (*Nusyūz*)

Unlike most of traditional Muslim exegetes who interpreted the word  $q\bar{a}nit\bar{a}t$  as wife's obedience to the husband, <sup>68</sup> both Wadud and Talbi argue that the word does not relate to specific gender as either masculine or feminine. Therefore, as a neutral world, it could not be interpreted as wives' attitude to obey husbands for it is used with regard to both men and women in the Qur'an. The core of Wadud's and Talbi's interpretation of  $q\bar{a}nit\bar{a}t$  is that it describes a servant's attitude to obey Allah, not to human being. In other words, it describes spiritual relationship between a servant and his/her God.

Compared to Talbi, the advantage of Wadud's analysis is that she examines  $q\bar{a}nit\bar{a}t$  in the light of another verse using such word. In addition,

<sup>&</sup>lt;sup>67</sup> In commenting the world *fadḍala*, az-Zamakhsyari and ar-Rāzī categorize men's preferences into two categories: essential nature (*sifāt ḥaqīqīyah*) and Islamic law (*ahkām syar'iyyah*). The essential natures of men are cleverness, strength, archery, horsing, writing, sincerity and seriousness while the examples of men's preference in terms of *Shari'a* are *jihād*, summon prayer, *i'tikāf*, witness, inheritance and trusteeship (*al-wilāyah*). See: Fakhruddīn ar-Rāzī, *Mafātīḥ al-Gaib*, Beirut: Dar al-Fikr, 1981, p. 91; Maḥmūd bin 'Umar az-Zamakhsyari, *al-Kasysyāf*, p. 67. Ibnu Kaśīr strongly insists that men are preferred and better than women. Therefore, the prophecy and great king are specialized for men. See: Ibnu Kašīr, *Tafsūr al-Qur'ān al-ʿAzhūm*, (Giza: Maktabah Aulād asy-Syaikh li at-Turās, 2000), vol. 4, p. 20

<sup>&</sup>lt;sup>68</sup> See: Fakhruddīn ar-Rāzī, Mafātīḥ al-Gaib, p. 91. Ibnu Kašīr, Tafsīr al-Qur'ān al-'Azīm, p. 22. Mahmūd bin 'Umar az-Zamakhsyari, al-Kasysyāf, p. 68. Abī Bakr al-Qurṭubi, al-Jāmi' li al-Ahkām al-Qur'an, p. 281.

she could point out the difference meaning between the word  $q\bar{a}nit\bar{a}t$  and  $t\bar{a}ah$ , and in this she acknowledges a-synonym of Qur'anic words. However, the lack of her analysis is that she does not examine the sentence  $h\bar{a}fiz\bar{a}t$  li al-gaib in which most of traditional Muslim exegetes take it into consideration to interpret  $q\bar{a}nit\bar{a}t$  as wife's obedience to the husband. Ar-Rāzī, for example, argues that the word  $q\bar{a}nit\bar{a}t$  and the phrase  $h\bar{a}fiz\bar{a}t$  li al-gaib are interrelated. Both of them describe wife's obedience depending on whether the husband is present or absent. <sup>69</sup>

Meanwhile, Talbi examines  $h\bar{a}fiz\bar{a}t$  li al-gaib by arguing that it describes a married couple who keep their secret. Like analyzing the word  $q\bar{a}nit\bar{a}t$ , Talbi insists that the  $h\bar{a}fiz\bar{a}t$  axiomatically do not restrict only for women, but also for men. I argue that since the Qur'an uses  $q\bar{a}nit\bar{a}t$  with regard to both men and women, the sentence  $h\bar{a}fiz\bar{a}t$  li al-gaib could not be understood as wife's obedience to the husband. Although traditional Muslim exegetes interpreted it as the obligation of wives to keep themselves from adultery (zina) and keep the house and husband's property, 7° this obligation should be considered as obedience to Allah, not to the husband.

Both Wadud and Talbi interpret  $nusy\bar{u}z$  with egalitarian perspective. It is used in the Qur'an with regard to both wife and husband. They argue that it describes marital disharmony among married couple and this means that both wife and husband are possible to cause the marital disharmony. They also approve that the verse emphasizes on eluding marital disorder and regaining marital harmony. However, Talbi's approach in interpreting  $nusy\bar{u}z$  is more sophisticated rather than that of Wadud. Although Wadud examines it in the light of other verses, she refers her conclusion to Qutb's interpretation while Talbi's conclusion is based on examining the verse' socio-historical and political context.

In the context of the verse,  $nusy\bar{u}z$  is literally addressed to women and that is why some traditional Muslim exegetes interpreted it as disobedience of wife to the husband. Meanwhile, both Wadud's and Talbi's interpretation of  $nusy\bar{u}z$  is beyond its textual meaning. They are in line that the Qur'an is a divine scripture which is universal for all human beings. While Wadud argues that the Qur'an does not restrict its universal guidance only for mentioned specific gender and must overcome the gender distinction of human language in order to implement its universal guidance 72, Talbi

<sup>69</sup> Fakhruddīn ar-Rāzī, Mafātīḥ al-Gaib, p. 91-92.

<sup>&</sup>lt;sup>70</sup> See: Ibnu Kaśīr, *Tafsīr al-Qur'ān al-'Azhīm*, p. 22; Mahmūd bin 'Umar az-Zamakhsyari, al-Kasysyāf, p. 68; 'Abdullah Muhammad bin Ahmad Abī Bakr al-Qurṭubi, al-Jāmi' li al-Ahkām al-Qur'an, p. 281.

<sup>&</sup>lt;sup>71</sup> See: Fakhruddin ar-Rāzī, *Mafātīḥ al-Gaib*, pp. 92-93.

 $<sup>^{\</sup>scriptscriptstyle{72}}$  Amina Wadud,  $\it{Qur'an}$  and  $\it{Woman},$  p. 7.

prioritizes the  $maq\bar{a}$ sid asy-syarī'ah rather than the textual meaning of the verse. Therefore, for them, considering  $nusy\bar{u}z$  as specific deeds of women is not in accordance with the universality of Qur'an.

Both Wadud and Talbi have similar idea in considering the manners proposed by the Qur'an in regaining marital harmony as hierarchical manners. Traditional Muslim exegetes actually also acknowledge such idea, but they consider women as the only suspected people who do the  $nusy\bar{u}z$ . Therefore, their interpretations show patriarchal bias. They are also in line that the first manner is the best manner in regaining marital harmony. While Wadud provides a rational analysis to acknowledge that it is the best manner which is also supported by the Qur'an's principle of mutual consultation:  $sy\bar{u}r\bar{a}$ , Talbi argues that it is relevant to humanity principle. Nevertheless, compared to Wadud, Talbi does not examine the second manner but directly examine the third manner.

Both Wadud and Talbi call for contextualization in understanding the third manner: beating the wife. However, Talbi's analysis on that is more sophisticated rather than that of Wadud. Talbi could provide detailed information regarding the socio-historical and political context of the verse. Although he acknowledges that the verse refers to men's permission to beat the wife, but by examining particular socio-historical context of the verse, he could argue that the  $maq\bar{a}sid$  of the verse forbids the beating. Therefore, it could only be applied in its particular circumstance. Talbi's Qur'anic hermeneutics, historical reading, reflects how the idea of the nature of Qur'anic interpretation is conceptualized through a historian perspective. According to Rachel M. Scott, like Fazlur Rahman, Talbi focuses on examining the Qur'an's socio-historical context in order to understand a ratio legis of particular verse. He uses the term  $maq\bar{a}sid$  in which he considers it as Qur'anic universal values which are relevant to any circumstance.

Compared to Talbi, Wadud reluctantly acknowledges that the verse refers to men's permission to beat the wife by arguing that the word <code>daraba</code> does not always mean to beat, Although Wadud examines the verse in the light of its particular circumstance, but her analysis is not as detail and comprehensive as that of Talbi. While she argues that the verse reflects a prohibition of violence against women and "a severe restriction of existing practice", Talbi's thought on  $maq\bar{a}sid$  of the verse could be a basis for Wadud's argumentation.

In addition, as Barlas concludes, by examining the historical context

<sup>73</sup> Mohammed Talbi, Ummat al-Wasat, p.136.

<sup>&</sup>lt;sup>74</sup> Zamakhsyari, *al-Kasysyāf*, p. 70; Ibnu Kašīr, *Tafsīr al-Qur'ān al-'Azhīm*, p. 24.

<sup>&</sup>lt;sup>75</sup> Rachel M. Scott,"A Contextual Approach to Woman's Right in the Qur'an: Readings of 4:34", *The Muslim World Journal*, 99, 2009, p. 70.

of the verse, one could argue that the Qur'an uses daraba as "a restrictive rather than in a prescriptive sense". At the time when men abuse women, the verse has been function as a restriction of such practice. Therefore, it makes daraba as the last manner, not the first or even the second.

Talbi exceedingly focuses on finding the *maqāṣid* of the verse, so that he reluctantly examines syntactical structure of the verse. Compared to Wadud, Talbi does not examines the word *ṭaʻah* in which according to traditional Muslim exegetes, it implies on the obligation of wife to obey the husband. Meanwhile, Wadud explicitly affirms that the Qur'an never commands a wife to obey her husband, by arguing that the structure of the verse does not use an imperative form (*amr*), but a conditional sentence. From the perspective of *uṣūl al-fiqh*, Wadud's interpretation might be accepted. Since a sentence does not use an imperative form, it could not be affirmed that it refers to a command.<sup>77</sup> Therefore, Wadud argues that what the verse emphasizes is men's treatment upon the women, not women's obedience.

Accordingly, Wadud calls for contextual reading on *ta'ah* (obedience). Compared to Talbi, the advantage of Wadud's contextualization is that she could link between the particular circumstance seventh century of Arabia peninsula and the changing situation of Muslims' contemporary era. Linking between the past and the present is significant for contextual reading on the Qur'an, in order to understand whether particular Qur'anic verse could be applied in a new circumstance or not.

On one hand, the limited meaning of the verse is certainly not relevant to the changing situation of Muslim's circumstance. On the other hand, the Qur'an claims to be universal and relevant to innumerable circumstances. Therefore, both Wadud and Talbi acknowledge the significance of contextual reading on the verse in order to make it relevant to contemporary Muslim's context. By proposing contextual reading of the verse, both Wadud and Talbi tend to argue that one is not allowed to justify violence against women by relying on the verse. The verse, however, reflects particular circumstance at the time of Qur'anic revelation. Therefore, it should not be applied literally in our contemporary context, rather it needs contextual consideration.

#### Conclusion

Both Wadud and Talbi are in line that the verse does not establish the superiority of men over the women. Rather, it acknowledges duties division

<sup>&</sup>lt;sup>76</sup> Asma Barlas, Believing Women in Islam, p. 188.

<sup>&</sup>lt;sup>77</sup>Abdul Karim Zaidan, *al-Wajīz fi Uṣūl al-Fiqh*, Maktabah al-Baṣāir, 1976, p. 293.

among the married couple. They also establish the significance of contextualization in understanding the last part of the verse which reflects particular circumstance in which it was revealed and thus requires contextual reading to be applied in modern-contemporary context.

The difference among their interpretation is on the status of relationship among married couple. Wadud interprets the verse towards full of gender equality. She does not acknowledge the concept of men's leadership over women in the family. Marriage relationship in terms of Wadud's interpretation preferably reflects co-dependent partnership. Meanwhile, Talbi acknowledges men's leadership over women within marriage relationship. Accordingly, in terms of his interpretation, marriage relationship preferably reflects care-taker or dependent relationship in which men as the head of household and women as being headed. Nevertheless, the leadership of men over women is not absolute. The difference of Wadud's and Talbi's interpretation is the result of their different hermeneutical situation, thought on the nature of Qur'anic interpretation and Qur'anic hermeneutics which play a role in interpreting the verse.

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